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COMES NOW Plaintiff, Loretta Nelson, by and through her Attorney of Record,
Jerry M. Kirksey, and for her Complaint states as follows:

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4. Plaintiff made multiple reports to Defendant Bransfield as to violations related to non-payment of overtime due her as an employee of the District.
5. On October 25, 2019, Plaintiff again communicated to Defendant Bransfield as to overtime violations, texting Bransfield about the two prior occasions she had spoken with him about being made to change her timecards related to hours worked and not being paid overtime.
6. Plaintiff instituted a legal action on her behalf and as a class action on behalf of other employees of the District arising from conduct of Defendant Bransfield in failing to pay overtime due her and other employees for hours served over 40 hours per workweek and for acts of retaliation by Defendant Bransfield against plaintiff in violation of Section 215 et seq of the Fair Labor Standards Act, to-wit: Nelson v. Bransfield, et al, in the Circuit Court of Webster County, Missouri, Case No. 19WE-CC00078, as removed to the United States District Court Western District of Missouri, Southern Division, Case No. 6:19-cv-03428-LMC.
7. Defendant Bransfield had knowledge that overtime was due plaintiff and other employees of the District as reported and set forth in the legal action filed by plaintiff.
8. After plaintiff's legal action was filed the District made changes to address overtime violations under the law including, but not limited to, changing job descriptions and the exempt/non-exempt status of certain non-certified employees.

9. A Settlement Agreement was reached resolving the legal action filed by plaintiff against Defendant Bransfield.
10. In June of 2020, the U.S. Department of Labor Wage and Hour Division informed the District of an investigation under the Fair Labor Standards Act and other payment of wages for wage and hour violations by the District and specifically failure to pay overtime to non-certified staff of the District. Defendant Bransfield had knowledge that plaintiff was a witness to violations of the Fair Labor Standards Act and his conduct in those violations.
11. On July 1, 2020, plaintiff entered a Stipulation of Dismissal in the legal action.
12. On July 6, 2020, the court entered an Order of Dismissal of the legal action.
13. On July 7, 2020, Defendant Bransfield terminated plaintiff.
14. On information and belief, Defendant Bransfield did not inform the board of his decision to terminate plaintiff.
15. Plaintiff's voiced opposition and report of overtime violations and instituted legal action were motivating factors in the decision to terminate plaintiff.
16. Plaintiff, after having engaged in the protected activities herein, was discharged and retaliated against by Defendant Bransfield in violation of [29 U.S.C. § 215\(a\)\(3\)](#).
17. The unlawful conduct of Defendant caused plaintiff to suffer loss wages, benefits, retirement loss and physical injury and emotional distress, pain and anguish.

WHEREFORE, Plaintiff prays for judgment in her favor, for attorney fees, costs and all remedies available to her under the law and Fair labor Standards Act, and for such relief as the Court deems just and proper.

/s/Jay Kirksey

Jerry M. (Jay) Kirksey
Missouri Bar No. 38643
Attorney for Plaintiff

KIRKSEY LAW FIRM, L.L.C.
711 S. Albany Avenue
Bolivar, Missouri 65613-2619
Telephone 417.326.4529
Facsimile 417.326.8531
jmkirksey@kirkseylawfirm.com